

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

Chapter 13

1-10-44981

IN RE: DARREN L FOSTER

ssn: ***-**-3420

&

IN RE: JANINE WHITNEY-FOSTER

ssn: ***-**-4337

Debtors.

CASE NO.

CHAPTER 13 PLAN

1. The future earnings of the debtor are submitted to the supervision and control of the trustee, and the debtor shall pay to the trustee for the total of 60 months, the sum of:

\$275.00 commencing **JUNE 2010** through and including **MAY 2015** for a period of 60 months;

2. From the payments so received, the trustee shall make disbursements as follows:
- (a) Full payment in deferred cash payments of all claims entitled to priority under 11 USC §507.
 - (b) Holders of allowed secured claims shall retain the liens securing such claims and shall be paid as follows:

ALL POST-PETITION PAYMENTS, INCLUDING BUT NOT LIMITED TO, MORTGAGE PAYMENTS, VEHICLES PAYMENTS, REAL ESTATE TAXES and INCOME TAXES, TO BE MADE OUTSIDE THE PLAN BY THE DEBTOR.

Beneficial, account number 0015428964, to be paid pre-petition arrears in the sum of \$771.14 over the life of the plan. Ongoing 2nd Mortgage payments to be paid outside plan.

HFC, account number 648502-00-923549-3, 1st mortgage, shall be paid outside the plan.

New York City real estate taxes, in the approximate sum of \$7,290.00, will be paid through the Chapter 13 Plan.

Hyundai Motor Finance, account number 20081205917052, shall be paid outside the plan.

Wells Fargo, account number 502-3150201317-9001, auto payments shall be paid outside plan.

(c) Subsequent and /or concurrently with distribution to secured creditors, dividends to unsecured creditors whose claims are duly allowed as follows: PRO RATA distribution to all timely filed proofs of claim of not less than **\$16,431.00**.


3. All lease agreements are hereby assumed, unless specifically rejected as follows: **NONE**

4. Debtor's counsel shall be paid \$3,000.00 as balance of attorney's fees through Chapter 13 Plan.

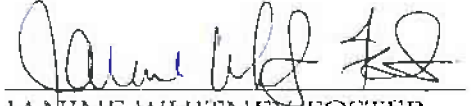
5. During the pendency of this case, if unsecured creditors are paid, pursuant to paragraph 2(c), less than one hundred percent 100%, the debtor shall provide the Trustee with signed copies of filed federal and state tax returns for each year no later than April 15th of the year following the tax period. Indicated tax refunds are to be paid to the Trustee upon receipts, however no later than June 15th of the year in which the tax returns are filed.

Title to the debtor's property shall revert in the debtor upon completion of the plan or dismissal of the case, unless otherwise provided in the Order confirming this plan. Throughout the term of this plan, the debtor will not incur post-petition debt over \$1,500 without written consent of the Chapter 13 trustee or the Court.

DATED: 5/16/10

A handwritten signature in blue ink, appearing to read "Darren L. Foster", written over a horizontal line.

DARREN L. FOSTER

A handwritten signature in blue ink, appearing to read "Janine Whitney-Foster", written over a horizontal line.

JANINE WHITNEY-FOSTER

A handwritten signature in black ink, appearing to read "David B. Shaev", written over a horizontal line.

DAVID B. SHAEV(dbs6994)

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